

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

RICARDO DAVILA, #540351

v.

NATHANIEL QUARTERMAN,  
DIRECTOR OF TDCJ-CID

§  
§  
§  
§  
§  
§  
§

CIVIL ACTION NO. G-05-477

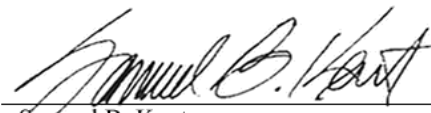
**ORDER**

Before the Court is the Report and Recommendation of the United States Magistrate Judge that was entered on October 19, 2006. Petitioner filed no objections.

Having given this matter *de novo* review under 28 U.S.C. § 636(b)(1)(C), this Court finds that the Report and Recommendation is correct and it is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

Accordingly, it is **ORDERED** that the Respondent's Motion for Summary Judgment (Instrument No. 15) is **GRANTED**; and the Petition for a Writ of Habeas Corpus of Ricardo Davila (Instrument No. 1) is **DISMISSED** as time-barred concerning his challenge to his conviction and for lack of jurisdiction concerning the issue of a detainer.

**DONE** at Galveston, Texas this 27<sup>th</sup> day of November, 2006.

  
\_\_\_\_\_  
Samuel B. Kent  
United States District Judge